



Keeping Highgate  
Cemetery alive



In Loving Memory of  
Our Dear Son  
**NIGEL DELANEY BROWNE**  
FATHER OF MAKEALA  
Who died on 27th August 1993  
Aged 30 Years  
Gone from us

# Highgate Cemetery will soon run out of space

It is over 180 years since the first burial at Highgate Cemetery. But within the next few years the space available will significantly diminish. We would like Highgate to continue as a working cemetery and not become simply a tourist attraction.

Providing a place of burial is the best way to preserve its special character and prevent its decline. With their loved ones continuing to be buried here, future generations would value Highgate Cemetery as a spiritual landscape, different in character from other open spaces such as parks.

By taking back long-abandoned graves the future of the Cemetery can be assured. Where graves are no longer wanted by their historic owners, they could be made available for the present generation.

Naturally there would be many safeguards to preserve the interests of grave owners and their families, and to protect the heritage. But there is much scope for Highgate Cemetery to accommodate more burials with minimal impact on the wonderful landscape.

We call the process 'grave renewal'. This booklet explains our indicative proposals for how it might work, and is subject to further change and refinement. Other London cemeteries already have similar powers, so the precedent is well-established. To implement it here, Highgate Cemetery needs a supplementary Act of Parliament which we intend to seek in November.

We would love to hear what you think. Please email us at [renewal@highgatecemetery.org](mailto:renewal@highgatecemetery.org) or complete the form at [highgatecemetery.org/renewal](http://highgatecemetery.org/renewal).



# There are many long-abandoned graves which could be used

For hundreds of years English churchyards accommodated the dead of their parish in a tiny amount of space. Successive generations were buried on top of each other, with the remains of their predecessors lowered in the grave or removed to a charnel house. It was a sustainable solution until the massive growth in population from the late eighteenth century.

The Victorians responded with the idea of large urban cemeteries offering private family graves where members could be buried together. Rights of burial were granted in perpetuity.

Yet often families proved more mobile and less keen on maintaining a single burial place than anticipated, and many graves have been simply forgotten altogether by descendants.

At Highgate, some graves never had memorials, others have memorials which are now severely damaged, and still others never even received a burial. Subject to appropriate safeguards (ultimately determined by Parliament), long-abandoned graves have the potential to provide a much-needed place of burial and thereby to keep the cemetery landscape alive.

There are not so many graves available that grave renewal would bring about a sudden transformation in the appearance of the Cemetery. The process is labour intensive. A small but steady supply of renewed graves is envisaged.



# A private Bill is the answer

To become sustainable, Highgate Cemetery needs the power to take back the ownership of graves which are no longer wanted and of the memorials on top of them. New burials could be made in empty graves, on top of part-used graves or in space created by lifting and reintering earlier remains at greater depth.

These powers are already available to local authority cemeteries in London under various Acts of Parliament. Very recently the *New Southgate Cemetery Act 2017* gave similar powers to another private cemetery. We are bringing forward a new private Bill of our own so that Highgate Cemetery can be managed in the same way.

Private Bills change the law as it applies only to specific individuals or organisations rather than to the general public. Highgate Cemetery was established by a private Bill in 1836. As a result, legislation allowing other cemeteries to re-use burial spaces does not extend to Highgate Cemetery.

Within the consecrated part of the Cemetery, grave renewal would also be subject to authorisation from the Diocese of London and we are hopeful of its support. The Chancellor of Southwark Diocese has stated that 'there should be an expectation that grave spaces will in due course be reused, and this is necessary to economise on land-use at a time when grave space is a diminishing resource.'





# Grave owner interests will be paramount

Grave renewal would be carried out with the greatest respect for grave owners and those buried in the Cemetery. Though it is ultimately for Parliament to decide on the provisions of the Bill, we will be seeking the following safeguards.

Only long-abandoned graves would be considered for renewal. These are graves where the last burial was over 75 years ago or, if the grave is empty, which were sold more than 75 years ago.

We would do our best to contact the owner. We would write to them at the address recorded in our register and we would place notices in the press, on the web, at the cemetery entrance, and on the grave itself.

If within six months the owner objected, the renewal would not proceed. If an objection were received from a relative of any person buried in the grave whose remains were proposed to be disturbed, no renewal would be considered for a further period of 25 years.

We would also notify the Commonwealth War Graves Commission and Historic England. If they objected, grave renewal could not proceed without the consent of the Secretary of State.

With these safeguards we would be doing our best to ensure that no grave owner would be separated from the ownership of a grave which they value. We are continuing to consider and engage with stakeholders about how these safeguards can be refined.



# Heritage will be safeguarded

We do not propose to remove as part of the programme of grave renewal any of the significant memorials which make Highgate Cemetery such a special place. Heritage protections would be strong.

There are about eighty memorials protected by listing, and all pre-1925 memorials in Highgate Cemetery are protected by conservation area designation. And while Historic England and the Commonwealth War Graves Commission would be notified of all proposals to extinguish rights of burial or disturb remains, it is unlikely that any graves of interest to them would be affected.

Priority graves for renewal would be those with no memorial or where the memorial is extensively damaged. Records would be made of any removed memorial and deposited with the Registrar General.

Guidance would be developed to ensure that the design of new memorials on renewed graves would be appropriate to their context.



# Your questions answered

## **Why are you bringing forward this Bill?**

We are running out of grave space and we want to have the same rights to use long-abandoned graves which are already available to other private and local authority cemeteries in London.

## **Why have you not got them already?**

The Cemetery was set up under a private Act of Parliament in 1836 which did not deal with the question of what would happen when it filled up.

## **Why are you doing this now?**

We are running out of space for new burials. Within four years the capacity of the Cemetery for burials will significantly diminish and we have decided that we want to keep the Cemetery as a working cemetery and not simply as a tourist attraction.

## **Is there any precedent for this Bill?**

Yes. New Southgate Cemetery had a similar Bill passed in 2017 with many of the same provisions.

## **Are you saying that there are graves which were bought and never used?**

Yes. A few hundred of them. Many dating back to the nineteenth century.

## **What about the owners?**

Should an owner object to the renewal of their grave, all they need do is tell us and it will not happen. We will do our best to advise them of our plans by writing to them and advertising in the press, on our website, at the Cemetery entrance and on the graves themselves. While we have ownership records for all our graves, many owners have not been in touch for over a century.

## **What else do you want permission to do?**

Once the existing right of burial has been cancelled, we would be able to bury on top of other interments in the grave. But occasionally we might also need to reinter those remains at a deeper level in the same grave. This process, known as 'lift and deepen', is also permitted in other cemeteries, often with a church permission known as a 'faculty'. This power would be used sparingly and with the utmost sensitivity.

### **What about people who own empty graves and may have bought them only recently?**

Grave renewal would not apply to any grave less than 75 years old. We would not reclaim any graves against the wish of their owners. That is categorical.

### **What about Commonwealth War Graves?**

The Commonwealth War Graves Commission would be notified of all renewal proposals, as would Historic England.

### **What happens to the monuments ?**

The default position is that they stay where they are. But not all graves have monuments, and in other cases monuments are lost or broken or inscriptions have worn off. We would do our best to preserve what we can.

At the City of London Cemetery, they turn headstones around and inscribe the names of new burials on the reverse. We could also try that, but it might be best to start with monuments which are beyond repair.

### **Is there a financial benefit to the cemetery from this Bill?**

Yes. About half the cemetery's income come from grave sales. The Bill would allow us to keep this source of funding and so help secure the future of the cemetery and finance further restoration.

### **What happens if this Bill fails?**

There would be no operational cemetery within the London Borough of Camden and people would have to look further afield to bury their loved ones. Over time, the special character of the Cemetery would be lost as the community of grave owners melted away.

Highgate Cemetery would have to look at other sources of income to fund its operations which very likely would involve a significant increase in visitor operations.

### **How do I get in touch with you about this?**

You can email [renewal@highgatecemetery.org](mailto:renewal@highgatecemetery.org) or fill in the response form at [www.highgatecemetery.com/renewal](http://www.highgatecemetery.com/renewal).

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